

Applicant : Peter S. MacLeod  
Serial No. : 09/653,052  
Filed : September 1, 2000  
Page : 2 of 5

Attorney's Docket No.: 07844-356001 / P331

For example, claim 8 recites "using ... a source rendering intent" and "using ... a destination rendering intent." Balonon-Rosen does not disclose or suggest using a source rendering intent or destination rendering intent; indeed, the reference does not at all discuss rendering intents. The Examiner contends that the use of rendering intents is taught in the Balonon-Rosen reference, citing Figure 2 for the proposition that "the source rendering intent is for rendering an input image to a rendered image in the first image rendering device and the destination rendering intent is for rendering an output image to a rendered output image in the second image rendering device." Applicant respectfully disagrees with this characterization of Figure 2. Figure 2 discloses a "First Image Rendering Device" and a "Second Image Rendering Device". These are merely disclosures of devices that perform rendering and do not disclose rendering intents. A rendering intent "determines the method the CMM uses for converting (i.e., mapping) colors from one device's gamut to another." Application, page 7: 17-18. As Balonon-Rosen does not disclose or suggest the use of rendering intents, the applicant respectfully submits that the reference does not render this invention obvious under § 103(a).

As another example, claim 8 recites "means for transforming data from the source device color space to an intermediary color space associated with an intermediary color profile using the source device color profile, a source rendering intent, and the intermediary color profile, producing intermediary data;" and "a means for transforming the intermediary data from the intermediary color space to the destination device color space using the intermediary color profile, a destination rendering intent, and the destination device color profile." As discussed previously, Balonon-Rosen lacks any disclosure of the use of rendering intents. Further, none of Examiner's cited sections disclose the use of rendering intents in performing transformation in the CMS disclosed in Balonon-Rosen. As Balonon-Rosen does not disclose or suggest the use of rendering intents recited in claim 8, applicant submits that claim 8 is allowable over the reference.

Although transformation to an intermediary, device-independent color space was known in the prior art, see Application, page 6: 23-30, this is not what is claimed. As explained above, Balonon-Rosen does not disclose "means for transforming data from the source device color

Applicant : Peter S. MacLeod  
Serial No. : 09/653,052  
Filed : September 1, 2000  
Page : 3 of 5

Attorney's Docket No.: 07844-356001 / P331

space to an intermediary color space . . . using . . . a source rendering intent . . . ." Nor does Balonon-Rosen disclose "means for transforming the intermediary data from the intermediary color space to the destination device color space using . . . a destination rendering intent . . . "

#### Claims 9-13

Claims 9-13 stand rejected as being rendered obvious by Balonon-Rosen. First, claims 9-13 are allowable over Balonon-Rosen as they depend on allowable claim 8, as discussed above.

Second, Balonon-Rosen does not teach every element recited by these claims. For example, Balonon-Rosen does not teach that "the source and destination rendering intents are different rendering intents" as recited by claim 9. As the examiner correctly states, Balonon-Rosen recites "a first image rendering device for the source and second image rendering device for the destination." Balonon-Rosen therefore merely discusses the use of two rendering devices, not rendering intents. As Balonon-Rosen does not disclose the use of two different rendering intents – indeed, the reference does not disclose rendering intents at all – claim 9 is allowable over the reference.

Further, claim 12 requires that "the source rendering intent is a colorimetric rendering intent and the destination rendering intent is a perceptual rendering intent." Examiner does not cite any section in the Balonon-Rosen reference for the contention that it "teaches that the source rendering intent is a colorimetric rendering intent." The applicant points out that the use of the term "colorimetric" in the reference is solely related to color measurement, not a type of rendering intent. Abstract, 3: 24-42, 4: 44-49, 5:15. As the Balonon-Rosen reference does not discuss the use of rendering intents at all, as discussed above, claim 12 is allowable over the reference.

In addition, claim 11 requires "means for receiving the data as an output of a graphic arts application." The Examiner asserts only that Figure 1 discloses this claim element. The cited Figure 1 shows "a computing environment which includes a printer [source device], a proofing device [destination device] and a computer with a monitor, a keyboard and a mouse [desktop computer on which the CMS is resident]." 5: 47-61. Balonon-Rosen does not disclose a "means

Applicant : Peter S. MacLeod  
Serial No. : 09/653,052  
Filed : September 1, 2000  
Page : 4 of 5

Attorney's Docket No.: 07844-356001 / P331

for receiving the data as an output of a graphics arts application." As the means recited in claim 11 is not disclosed by Figure 1, claim 11 is allowable over the reference.

Claims 1-6, 15-22, 22, 23

The Examiner's basis for rejection of claims 1-6, 15-20, 22, and 23 are that they are method claims of apparatus claims 8-13. First, applicant notes that claims 15-20 and 23 are computer program product claims. Further, for at least the reasons set forth above for claims 8-13, applicant submits that these claims are allowable over the cited reference.

Claims 14, 7 and 21

Claims 14, 7 and 21 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Balonon-Rosen in view of U.S. Patent No. 6,124,944 to Ohta ("Ohta"). First, as claim 8, an independent claim, is not obvious under Balonon-Rosen, applicant submits that claim 14 is not obvious under Balonon-Rosen and Ohta, and therefore is allowable over the references.

Second, neither Balonon-Rosen nor Obta nor the combination of them discloses or suggests every element of claim 14. For example, claim 14 requires "zeroing the color components of the intermediary data before transforming the intermediary data." Examiner cites various sections of the Ohta reference for this feature, none of which teach "zeroing the color components." Rather, Ohta discloses a "color-reproduction possible/impossible decision unit." 5:64-65, which outputs "zero" if "the image data that has entered from the input device is within the color-reproduction range of the output device," and outputs "non-zero" if "the image data that has entered from the input device is outside the color-reproduction range of the output device." 7:37-42. Since Ohta does not teach "zeroing the color components of the intermediary data," claim 14 is allowable over of Balonon-Roscn in view of Ohta.

Claims 7 and 21 are also allowable over the references for at least the reasons set forth above for claim 14, as they are method and computer program product claims of apparatus claim 14.

Applicant : Peter S. MacLeod  
Serial No. : 09/653,052  
Filed : September 1, 2000  
Page : 5 of 5

Attorney's Docket No.: 07844-356001 / P331

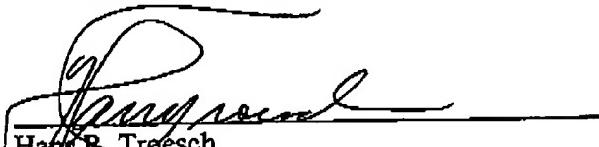
Conclusion

For at least the reasons set forth above, all the pending claims are allowable.

No fee is believed to be due. Please apply charges or credits to Deposit Account No.

06-1050.

Respectfully submitted,

  
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